

## **WAIVER OF STATUTORY TIMELINES**

I, \_\_\_\_\_ am an applicant for a

- Permit to Appropriate Water**
- Change of Appropriation Right**

Application No. \_\_\_\_\_

I am requesting additional time from the Department regarding my water right application. I agree to waive the following statutory timelines.\*

- CHECK HERE IF AN OBJECTION WAS FILED TO YOUR APPLICATION**

Mont. Code Ann. §85-2-309 –

(1) If the department determines that an objection to an application for a permit or change approval under [85-2-402](#) states a valid objection, it shall hold a contested case hearing, pursuant to Title 2, chapter 4, part 6, on the objection within 60 days from the date set by the department for the filing of objections, after serving notice of the hearing by first-class mail upon the applicant and the objector. . .

**and**

Mont. Code Ann. §85-2-310 –

(1) The department shall grant, deny, or condition an application for a permit or change in appropriation right in whole or in part within 120 days after the last date of publication of the notice of application if no objections have been received and within 180 days if a hearing is held or objections have been received. However, in either case the time may be extended upon agreement of the applicant or, in those cases where an environmental impact statement must be prepared or in other extraordinary cases, may be extended by not more than 60 days upon order of the department. . . .

- CHECK HERE IF NO OBJECTION WAS FILED TO YOUR APPLICATION**

Mont. Code Ann. §85-2-310 –

(1) The department shall grant, deny, or condition an application for a permit or change in appropriation right in whole or in part within 120 days after the last date of publication of the notice of application if no objections have been received and within 180 days if a hearing is held or objections have been received. However, in either case the time may be extended upon agreement of the applicant or, in those cases where an environmental impact statement must be prepared or in other extraordinary cases, may be extended by not more than 60 days upon order of the department. If the department orders the time extended, it shall serve a notice of the extension and the reasons for the extension by first-class mail upon the applicant and each person who has filed an objection as provided by 85-2-308.

I have received a copy of Mont. Code Ann. §§85-2-309 and -310 and have had an opportunity to review it. I have read the above waiver and understand it. I have had the opportunity to obtain advice of my own legal counsel before signing this waiver.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Authorized Representative

\* **BY ACCEPTANCE OF THIS WAIVER, THE DEPARTMENT DOES NOT AGREE THAT THE STATUTORY TIMELINES HEREIN REFERENCED ARE MANDATORY.**